

REMARKS:

Claims 1-8 are pending in the above-referenced patent application. Claim 1 has been amended, and no claims have been added or cancelled.

Applicant would first like to thank the Examiner for allowing Applicant a telephone interview on August 29, 2006. The substance of the interview included claim interpretation of Price on claims 1, 2, and 6 of Applicant's claim; no agreement was reached.

In the Office Action, dated July 19, 2006, the Examiner rejected 1-8 under 35 U.S.C. §103(a) as being unpatentable over Price, et al. This rejection is respectfully traversed. Applicant's invention is directed to a multi-use appliance that provides the user the ability to *accomplish multiple tasks of washing produce, drying produce, dehydrating food, and washing and drying utensils with one single appliance.* Applicant's invention thus eliminates the need to have separate multiple appliances to accomplish said multiple tasks. Price, et al. neither teaches nor suggests that its dishwashing appliance can accomplish such multiple tasks and thus does not render Applicant's invention obvious.

It is well-established that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, a suggestion or motivation must be shown, either in the cited documents themselves or in knowledge generally available to one of ordinary skill in the art, to modify a cited document or combine two or more cited documents. Second, a reasonable expectation of success in making this combination or modification must be shown. Third, it must be shown that the combination or modification, if proper, contains

all of the elements of the claims under rejection. If any of these elements are not met, a successful *prima facie* case of obviousness has not been established.

It is respectfully submitted that Price et al. does not meet all of the limitations of claim 1. As just an example, Price et al. does not show or describe how its dishwashing appliance could be used to dry produce or to dehydrate food. The Examiner does not describe how it would be obvious to a person of ordinary skill in the art to utilize the Price et al. dishwasher to dehydrate food or dry produce. *Drying and dehydrating food and produce* are very different tasks from *sanitizing and removing stains from tableware* by, for example, *electrolyzing tap water* as Price et al. does. To the extent that Price et al. focuses on using electrolyzed tap water for sanitizing and stain removal, which Applicant's invention does not, it teaches away from modifying the Price et al. appliance to dry and dehydrate food and to arrive at Applicant's invention.

It is respectfully submitted, therefore, that a *prima facie* case of obviousness under §103 of the patent statute has not been made. Accordingly, it is respectfully submitted that the reject claims are in a condition for allowance, and it is respectfully submitted that the Examiner withdraw the rejection of claims 1. Claims 2-8 distinguish from Price et al. on at least the same basis. It is therefore requested that the Examiner withdraw the rejection of these claims as well.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition of allowance. If the Examiner has any questions, she is invited to contact the undersigned at (541) 621-9277. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Respectfully submitted,

Dated: 10/18/06


James Drago, Applicant

Send correspondence to:
c/o Prospect S District
PO Box 40
Prospect, OR 97536